B1 (Official Form 1)(4	/10)											
				Bankı istrict of		cy Cour fornia	t			Vol	untary	Petition
Name of Debtor (if inc Padilla, Luis Alb		er Last, First	, Middle):				Name of Joint Debtor (Spouse) (Last, First, Middle):  Padilla, Tatiana					
All Other Names used (include married, maid			8 years					used by the . maiden, and			years	
AKA Luis Padilla Padilla			lla, Sr.;	AKA Lui	s A							
Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN) No./Complete EIN (if more than one, state all)  xxx-xx-6085					four digits of the than one, state	all)	r Individual-	Taxpayer I.I	D. (ITIN) N	o./Complete EIN		
Street Address of Debtor (No. and Street, City, and State):						Joint Debtor	r (No. and St	reet, City, a	nd State):			
3969 Selmi Grov Richmond, CA	re						69 Selmi chmond,					
Trioniniona, 674				_	ZIP C		ommona,					ZIP Code
Courter of Decidence		-:1 Dl	£ D		94806-		stry of Dooids		Dein sin al Di	and of Dusie		94806-1867
County of Residence o Contra Costa	r of the Prin	cipai Piace o	I Business	s:			ontra Cos	ence or of the	Principai Pi	ace of Bush	iess:	
Mailing Address of Debtor (if different from street address):				Mail	ing Address	of Joint Debt	tor (if differe	nt from stre	et address):			
					ZIP C	ode						ZIP Code
					ZII C	ouc						Zii Code
Location of Principal A (if different from street			r			_						
	of Debtor			Nature (					of Bankru			ch
	Organization) one box)		☐ Hea	th Care Bu	one box siness	)	Chapt		Petition is F	nea (Cneck	one box)	
Individual (include:	s Joint Debte	ors)		gle Asset Re 1 U.S.C. § 1		e as defined	Chapt	er 9		hapter 15 Po		
See Exhibit D on pe		*	Rail	-	101 (311	J)	Chapt			a Foreign I		C
☐ Corporation (include	les LLC and	LLP)		kbroker modity Bro	alran		☐ Chapt			hapter 15 Po a Foreign I		
☐ Partnership				imodity Bro iring Bank	oker			or 13				
Other (If debtor is no check this box and sta	t one of the a	bove entities,	Othe							e of Debts		
	, p	,,		Tax-Exe			■ Debts	are primarily co		k one box)	□ Debts	s are primarily
			☐ Deb	(Check box tor is a tax-	exempt	organization	define	1 in 11 U.S.C.	§ 101(8) as			ess debts.
			und	er Title 26 o	of the Ui			ed by an indivional, family, or				
F	iling Fee (C	heck one box	x)		Che	eck one box:		Chap	oter 11 Debt	ors		
Full Filing Fee attache	ed					_		debtor as defi				
☐ Filing Fee to be paid i						Debtor is no eck if:	ot a small busi	ness debtor as	defined in 11	U.S.C. § 101(	51D).	
attach signed applicati debtor is unable to pa					ial   [							ders or affiliates) ee years thereafter).
Form 3A.					Che	eck all applicat		итоині зиојесі	і 10 шазизітен	: On 4/01/13 t	ina every inre	ee years mereagier).
Filing Fee waiver requattach signed application					B I		s of the plan v	this petition. were solicited process. S.C. § 1126(b).	•	n one or more	classes of cr	editors,
Statistical/Administra	tive Inform	ation							THIS	SPACE IS F	OR COURT	USE ONLY
☐ Debtor estimates th☐ Debtor estimates th☐							ses paid,					
there will be no fun		for distribut	ion to uns	ecured cred	litors.							
Estimated Number of C	reditors											
1- 49 99	100- 199	200- 999	1,000- 5,000	5,001- 10,000	10,001- 25,000	25,001- 50,000	50,001- 100,000	OVER 100,000				
Estimated Assets						•	•		1			
\$0 to \$50,001 to	\$100,001 to	\$500,001	\$1,000,001	\$10,000,001	\$50,000,0	001 \$100,000,0	1 \$500,000,001	More than				
\$50,000 \$100,000	\$500,000	to \$1 million	to \$10 million	to \$50 million	to \$100 million	to \$500 million	to \$1 billion					
Estimated Liabilities		_	_	_				П	1			
\$0 to \$50,001 to	\$100,001 to		\$1,000,001	\$10,000,001	\$50,000,0		500,000,001 1 \$500,000,001					
\$50,000 \$100,000 Case:	\$500,000 <b>10-464</b>	to \$1	to \$10 mi <del>ll/</del> on	to \$50	to \$100	to \$500 1/1 Million	to \$1 billion	\$1 billion 06/04/1	0 17:18	·47 P	age 1 c	of 46

B1 (Official Form 1)(4/10) Page 2 Name of Debtor(s): **Voluntary Petition** Padilla, Luis Alberto Padilla. Tatiana (This page must be completed and filed in every case) All Prior Bankruptcy Cases Filed Within Last 8 Years (If more than two, attach additional sheet) Location Case Number: Date Filed: Where Filed: - None -Location Case Number: Date Filed: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet) Name of Debtor: Case Number: Date Filed: - None -District: Relationship: Judge: Exhibit B Exhibit A (To be completed if debtor is an individual whose debts are primarily consumer debts.) I, the attorney for the petitioner named in the foregoing petition, declare that I (To be completed if debtor is required to file periodic reports (e.g., have informed the petitioner that [he or she] may proceed under chapter 7, 11, forms 10K and 10Q) with the Securities and Exchange Commission 12, or 13 of title 11, United States Code, and have explained the relief available pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 under each such chapter. I further certify that I delivered to the debtor the notice and is requesting relief under chapter 11.) required by 11 U.S.C. §342(b). ☐ Exhibit A is attached and made a part of this petition. X /s/ Michael Comfort June 3, 2010 Signature of Attorney for Debtor(s) (Date) **Michael Comfort** Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition. No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D completed and signed by the debtor is attached and made a part of this petition. If this is a joint petition: ■ Exhibit D also completed and signed by the joint debtor is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District. П Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period

after the filing of the petition.

B1 (Official Form 1)(4/10) Page 3

# **Voluntary Petition**

(This page must be completed and filed in every case)

### Signatures

#### Signature(s) of Debtor(s) (Individual/Joint)

I declare under penalty of perjury that the information provided in this petition is true and correct.

[If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. [If no attorney represents me and no bankruptcy petition preparer signs the petition] I have obtained and read the notice required by 11 U.S.C. §342(b).

I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.

#### X /s/ Luis Alberto Padilla

Signature of Debtor Luis Alberto Padilla

#### X /s/ Tatiana Padilla

Signature of Joint Debtor Tatiana Padilla

Telephone Number (If not represented by attorney)

June 3, 2010

Date

#### Signature of Attorney\*

### X /s/ Michael Comfort

Signature of Attorney for Debtor(s)

#### Michael Comfort 76100

Printed Name of Attorney for Debtor(s)

#### **Comfort Law Office**

Firm Name

P.O. Box 5611 San Mateo, CA 94402

Address

# Email: mcomfort@comfortlawoffice.com 650-235-1217 Fax: 650-571-5974

Telephone Number

### June 3, 2010

Date

\*In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.

#### Signature of Debtor (Corporation/Partnership)

I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

X

Signature of Authorized Individual

Printed Name of Authorized Individual

Title of Authorized Individual

Date

Case: 10-46468 | Doc# 1 | Filed: 06/04/10

#### Signature of a Foreign Representative

I declare under penalty of perjury that the information provided in this petition is true and correct, that I am the foreign representative of a debtor in a foreign proceeding, and that I am authorized to file this petition.

(Check only one box.)

Name of Debtor(s):

Padilla, Luis Alberto Padilla, Tatiana

- ☐ I request relief in accordance with chapter 15 of title 11. United States Code. Certified copies of the documents required by 11 U.S.C. §1515 are attached.
- ☐ Pursuant to 11 U.S.C. §1511, I request relief in accordance with the chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.

_	_
•	,
	L

Signature of Foreign Representative

Printed Name of Foreign Representative

Date

#### **Signature of Non-Attorney Bankruptcy Petition Preparer**

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.

Printed Name and title, if any, of Bankruptcy Petition Preparer

Social-Security number (If the bankrutpcy petition preparer is not an individual, state the Social Security number of the officer, principal, responsible person or partner of the bankruptcy petition preparer.)(Required by 11 U.S.C. § 110.)

Address

Date

Signature of Bankruptcy Petition Preparer or officer, principal, responsible person, or partner whose Social Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both 11 U.S.C. §110; 18 U.S.C. §156.

Entered: 06/04/10 17:18:47 Page 3 of 46

B 1D (Official Form 1, Exhibit D) (12/09)

# United States Bankruptcy Court Northern District of California

In re	Luis Alberto Padilla Tatiana Padilla		Case No.	
		Debtor(s)	Chapter	7

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency*.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.*
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

Software Copyright (c) 1996-2010 Best Case Solutions - Evanston, IL - bestcase.com

Best Case Bankruptcy

Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 4 of 46

☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable
statement.] [Must be accompanied by a motion for determination by the court.]
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or
mental deficiency so as to be incapable of realizing and making rational decisions with respect to
financial responsibilities.);
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being
unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, o
through the Internet.);
☐ Active military duty in a military combat zone.
□ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor: /s/ Luis Alberto Padilla

Date: June 3, 2010

Luis Alberto Padilla

Certificate Number: 00134-CAN-CC-010896707

# **CERTIFICATE OF COUNSELING** .

I CERTIFY that on May 8, 2010	, at	1:54	o'clock PM PDT,
Luis Alberto Padilla, Sr		received	from
Cricket Debt Counseling			
an agency approved pursuant to 11 U.S.C. §	§ 111 to	provide credit	counseling in the
Northern District of California	, ar	n individual [o	r group] briefing that complied
with the provisions of 11 U.S.C. §§ 109(h)	and 111.		
A debt repayment plan was not prepared	If a d	ebt repayment	plan was prepared, a copy of
the debt repayment plan is attached to this c	ertificat	e.	
This counseling session was conducted by i	nternet a	nd telephone	·
Date: May 8, 2010	Ву	/s/Esther Domi	nguez
	Name	Esther Doming	guez
	Title	Counselor	

<sup>\*</sup> Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. See 11 U.S.C. §§ 109(h) and 521(b).

B 1D (Official Form 1, Exhibit D) (12/09)

# United States Bankruptcy Court Northern District of California

	Luis Alberto Padilla			
In re	Tatiana Padilla		Case No.	
		Debtor(s)	Chapter	7

# EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

- 1. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. *Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency*.
- □ 2. Within the 180 days **before the filing of my bankruptcy case**, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. *You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 14 days after your bankruptcy case is filed.*
- □ 3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the seven days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

Software Copyright (c) 1996-2010 Best Case Solutions - Evanston, IL - bestcase.com

Best Case Bankruptcy

Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 7 of 46

☐ 4. I am not required to receive a credit counseling briefing because of: [Check the applicable
statement.] [Must be accompanied by a motion for determination by the court.]
☐ Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or
mental deficiency so as to be incapable of realizing and making rational decisions with respect to
financial responsibilities.);
☐ Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being
unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, o
through the Internet.);
☐ Active military duty in a military combat zone.
□ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor: /s/ Tatiana Padilla
Tatiana Padilla
Date: June 3, 2010

Certificate Number: 00134-CAN-CC-010896709

# **CERTIFICATE OF COUNSELING**

I CERTIFY that on May 8, 2010	, at	1:54	o'clock PM PDT ·,
Tatiana Padilla		received	from
Cricket Debt Counseling			<b>.</b>
an agency approved pursuant to 11 U.S.C. §	§ 111 to	provide credit	counseling in the
Northern District of California	, aı	ı individual [o	r group] briefing that complied
with the provisions of 11 U.S.C. §§ 109(h)	and 111		
A debt repayment plan was not prepared	If a d	ebt repayment	plan was prepared, a copy of
the debt repayment plan is attached to this c	ertificat	e.	
This counseling session was conducted by i	internet a	nd telephone	·
Date: May 8, 2010	Ву	/s/Esther Dom	inguez
	Name	Esther Doming	guez
	Title	Counselor	

<sup>\*</sup> Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. See 11 U.S.C. §§ 109(h) and 521(b).

# **United States Bankruptcy Court Northern District of California**

In re	Luis Alberto Padilla,		Case No.	
	Tatiana Padilla			
_		Debtors	Chapter	7

# **SUMMARY OF SCHEDULES**

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts of all claims from Schedules D, E, and F to determine the total amount of the debtor's liabilities. Individual debtors must also complete the "Statistical Summary of Certain Liabilities and Related Data" if they file a case under chapter 7, 11, or 13.

NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	335,000.00		
B - Personal Property	Yes	3	35,060.00		
C - Property Claimed as Exempt	Yes	1			
D - Creditors Holding Secured Claims	Yes	2		572,316.61	
E - Creditors Holding Unsecured Priority Claims (Total of Claims on Schedule E)	Yes	1		0.00	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	3		41,954.20	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	1			
I - Current Income of Individual Debtor(s)	Yes	1			7,603.54
J - Current Expenditures of Individual Debtor(s)	Yes	2			8,242.39
Total Number of Sheets of ALL Schedu	ıles	16			
	To	otal Assets	370,060.00		
			Total Liabilities	614,270.81	

# United States Bankruptcy Court Northern District of California

Northern Dis	strict of California		
Luis Alberto Padilla,		Case No.	
Tatiana Padilla	Debtors	Chapter	7
STATISTICAL SUMMARY OF CERTAIN  If you are an individual debtor whose debts are primarily consumate a case under chapter 7, 11 or 13, you must report all information.  Check this box if you are an individual debtor whose debtor report any information here.  This information is for statistical purposes only under 28 U.S. Summarize the following types of liabilities, as reported in the statistical purposes.	mer debts, as defined in § 1010 in requested below.  Its are NOT primarily consume	(8) of the Bankruptor debts. You are no	cy Code (11 U.S.C.§ 101)
Type of Liability	Amount		
Domestic Support Obligations (from Schedule E)	0	.00	
Taxes and Certain Other Debts Owed to Governmental Units (from Schedule E)	0	.00	
Claims for Death or Personal Injury While Debtor Was Intoxicated (from Schedule E) (whether disputed or undisputed)	0	.00	
Student Loan Obligations (from Schedule F)	0	.00	
Domestic Support, Separation Agreement, and Divorce Decree Obligations Not Reported on Schedule E	0	.00	
Obligations to Pension or Profit-Sharing, and Other Similar Obligatio (from Schedule F)	ns 0	.00	
TOTA	L 0	.00	
State the following:			
Average Income (from Schedule I, Line 16)	7,603	.54	
Average Expenses (from Schedule J, Line 18)	8,242	.39	
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)	10,234	.72	
State the following:			
1. Total from Schedule D, "UNSECURED PORTION, IF ANY" column			216,611.74
2. Total from Schedule E, "AMOUNT ENTITLED TO PRIORITY" column	0	.00	
3. Total from Schedule E, "AMOUNT NOT ENTITLED TO PRIORITY, IF ANY" column			0.00
4. Total from Schedule F			41,954.20
5. Total of non-priority unsecured debt (sum of 1, 3, and 4)			258,565.94

Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 11 of 46

•			
H	n	re	

Luis Alberto Padilla, Tatiana Padilla

Case No.		

Debtors

## **SCHEDULE A - REAL PROPERTY**

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. See Schedule D. If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim." If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Primary Residence		С	335,000.00	551,611.74	
Description and Location of Proper	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim	

Location: 3969 Selmi Grove, Richmond CA 94806-1867

Sub-Total > 335,000.00 (Total of this page)

Total > **335,000.00** 

**0** continuation sheets attached to the Schedule of Real Property

Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 12 of 46

n	ra

Luis Alberto Padilla, Tatiana Padilla

Case No.		

Debtors

### SCHEDULE B - PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, both, or the marital community own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property." If the property is being held for a minor child, simply state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

	Type of Property	N O N Description and Location of Property E	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
1.	Cash on hand	On Debtors' Person	С	60.00
2.	Checking, savings or other financial	Bank Of America Joint Checking	С	600.00
	accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.	Bank of America Savings/Checking for Luis Padilla	С	120.00
3.	Security deposits with public utilities, telephone companies, landlords, and others.	X		
4.	Household goods and furnishings, including audio, video, and computer equipment.	Furniture Location: 3969 Selmi Grove, Richmond CA 94806-1867	С	2,000.00
5.	Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	Pictures and Books Location: 3969 Selmi Grove, Richmond CA 94806-1867	С	100.00
6.	Wearing apparel.	Clothes Location: 3969 Selmi Grove, Richmond CA 94806-1867	С	300.00
7.	Furs and jewelry.	Jewelry Location: 3969 Selmi Grove, Richmond CA 94806-1867	С	1,000.00
8.	Firearms and sports, photographic, and other hobby equipment.	x		
9.	Interests in insurance policies.  Name insurance company of each policy and itemize surrender or refund value of each.	X		
10.	Annuities. Itemize and name each issuer.	X		

Sub-Total > 4,180.00 (Total of this page)

In re	Luis Alberto Padilla,
	Tatiana Padilla

Case No.	
Case No.	

# SCHEDULE B - PERSONAL PROPERTY (Continuation Sheet)

11. Interests in an education IRA as defined in 26 U.S.C. § 530(b)(1) or under a qualified State tuition plan as defined in 26 U.S.C. § 529(b)(1). Give particulars. (File separately the record(s) of any such interest(s). 11 U.S.C. § 521(c).)  12. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Give particulars.  13. Stock and interests in incorporated and unincorporated and unincorporated businesses. Itemize.  14. Interests in partnerships or joint ventures. Itemize.  15. Government and corporate bonds and other negotiable and nonnegotiable instruments.  16. Accounts receivable.  17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.  18. Other liquidated debts owed to debtor including tax refunds. Give particulars.  2009 Federal Tax Refund (debtors owed State of California and paid \$338)	0.00
other pension or profit sharing plans. Give particulars.  13. Stock and interests in incorporated and unincorporated businesses. Itemize.  14. Interests in partnerships or joint ventures. Itemize.  15. Government and corporate bonds and other negotiable and nonnegotiable instruments.  16. Accounts receivable.  17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.  18. Other liquidated debts owed to debtor  2009 Federal Tax Refund (debtors owed State of C	0.00
and unincorporated businesses. Itemize.  14. Interests in partnerships or joint ventures. Itemize.  15. Government and corporate bonds and other negotiable and nonnegotiable instruments.  16. Accounts receivable.  17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.  18. Other liquidated debts owed to debtor  2009 Federal Tax Refund (debtors owed State of C	
ventures. Itemize.  15. Government and corporate bonds and other negotiable and nonnegotiable instruments.  16. Accounts receivable.  17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.  18. Other liquidated debts owed to debtor  2009 Federal Tax Refund (debtors owed State of C	
and other negotiable and nonnegotiable instruments.  16. Accounts receivable.  17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.  18. Other liquidated debts owed to debtor  2009 Federal Tax Refund (debtors owed State of C	
17. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.  18. Other liquidated debts owed to debtor  2009 Federal Tax Refund (debtors owed State of C	
property settlements to which the debtor is or may be entitled. Give particulars.  2009 Federal Tax Refund (debtors owed State of C	
	3,470.00
19. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule A - Real Property.	
20. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	
21. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	
Sub-Total >  (Total of this page)	3,470.00

Sheet <u>1</u> of <u>2</u> continuation sheets attached

to the Schedule of Personal Property
Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 14 of 46

In re	Luis Alberto Padilla,
	Tatiana Padilla

Case No.	
Case INO.	

# **SCHEDULE B - PERSONAL PROPERTY**

(Continuation Sheet)

	Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
22.	Patents, copyrights, and other intellectual property. Give particulars.	X			
23.	Licenses, franchises, and other general intangibles. Give particulars.	X			
24.	Customer lists or other compilations containing personally identifiable information (as defined in 11 U.S.C. § 101(41A)) provided to the debtor by individuals in connection with obtaining a product or service from the debtor primarily for personal, family, or household purposes.	x			
25.	Automobiles, trucks, trailers, and	1998	Honda Civic	С	1,500.00
	other vehicles and accessories.	2008	Toyota Rav 4	С	17,475.00
		50%   Good	Volkswagen Jetta interest I Condition hter's Car	С	8,435.00
26.	Boats, motors, and accessories.	X			
27.	Aircraft and accessories.	X			
28.	Office equipment, furnishings, and supplies.	X			
29.	Machinery, fixtures, equipment, and supplies used in business.	X			
30.	Inventory.	X			
31.	Animals.	X			
32.	Crops - growing or harvested. Give particulars.	X			
33.	Farming equipment and implements.	X			
34.	Farm supplies, chemicals, and feed.	X			
35.	Other personal property of any kind not already listed. Itemize.	X			
				Sub-Tota	al > <b>27,410.00</b>

| Sub-Total > 27,410.00 | | (Total of this page) | Total > 35,060.00 |

Sheet  $\underline{2}$  of  $\underline{2}$  continuation sheets attached to the Schedule of Personal Property Case: 10-46468 Doc# 1 Filed: 06/04/10

Entered: 06/04/10 17:18:47 Page 15 of 46

Best Case Bankruptcy

In re

Luis Alberto Padilla, Tatiana Padilla

Debtors

# SCHEDULE C - PROPERTY CLAIMED AS EXEMPT

Debtor claims the exemptions to which debtor is entitled under:	☐ Check if debtor claims a homestead exemption that exceeds
(Check one box)	\$146,450. (Amount subject to adjustment on 4/1/13, and every three years thereafter
☐ 11 U.S.C. §522(b)(2)	with respect to cases commenced on or after the date of adjustment.)
■ 11 U.S.C. §522(b)(3)	

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Value of Property Without Deducting Exemption
Cash on Hand On Debtors' Person	C.C.P. § 703.140(b)(5)	60.00	60.00
Checking, Savings, or Other Financial Accounts, C	ertificates of Deposit		
Bank Of America Joint Checking	C.C.P. § 703.140(b)(5)	600.00	600.00
Bank of America Savings/Checking for Luis Padilla	C.C.P. § 703.140(b)(5)	120.00	120.00
Household Goods and Furnishings Furniture Location: 3969 Selmi Grove, Richmond CA 94806-1867	C.C.P. § 703.140(b)(3)	2,000.00	2,000.00
Books, Pictures and Other Art Objects; Collectibles Pictures and Books Location: 3969 Selmi Grove, Richmond CA 94806-1867	C.C.P. § 703.140(b)(3)	100.00	100.00
Wearing Apparel Clothes Location: 3969 Selmi Grove, Richmond CA 94806-1867	C.C.P. § 703.140(b)(3)	300.00	300.00
Furs and Jewelry Jewelry Location: 3969 Selmi Grove, Richmond CA 94806-1867	C.C.P. § 703.140(b)(4)	1,000.00	1,000.00
Other Liquidated Debts Owing Debtor Including Tax 2009 Federal Tax Refund (debtors owed State of California and paid \$338)	x <u>Refund</u> C.C.P. § 703.140(b)(5)	3,470.00	3,470.00
<u>Automobiles, Trucks, Trailers, and Other Vehicles</u> 1998 Honda Civic	C.C.P. § 703.140(b)(5)	1,500.00	1,500.00
2008 Toyota Rav 4	C.C.P. § 703.140(b)(5)	2,321.00	17,475.00
2007 Volkswagen Jetta 50% Interest Good Condition Daughter's Car	C.C.P. § 703.140(b)(2) C.C.P. § 703.140(b)(5)	3,525.00 2,134.57	16,870.00

Total: 17,130.57 43,495.00 In re

Luis Alberto Padilla, Tatiana Padilla

Case No.
----------

**Debtors** 

## SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests.

other security interests.

List creditors in alphabetical order to the extent practicable. If a minor child is a creditor, the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Unliquidated". (You may need to place an "X" in more than one of these three columns.)

Total the completed schedule. Report the total from the column labeled "Amount of Claim" also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report the total from the column labeled "Unsecured Portion" on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

	_							
CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	Hu H W J C	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND VALUE OF PROPERTY SUBJECT TO LIEN	CONFINGEN	N L I Q U	DISPUTED	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. 405-550-045-0			Primary Residence Location: 3969 Selmi Grove, Richmond	Ť	T E D	Ī		
A.S.A.P. Collection Services 331 Piercy Road San Jose, CA 95138		С	CA 94806-1867					
			Value \$ 335,000.00	Ш			1,677.74	1,677.74
Account No. 06300408520			Second Mortgage					
Citimortgage Inc. PO Box 6006 The Lakes, NV 88901-6006		С	Primary Residence Location: 3969 Selmi Grove, Richmond CA 94806-1867					
			Value \$ 335,000.00				96,469.00	96,469.00
Account No. 7438867400  GMAC Mortgage, LLC 3451 Hammond Avenue Waterloo, IA 50702		С	First Mortgage  Primary Residence Location: 3969 Selmi Grove, Richmond CA 94806-1867					
			Value \$ 335,000.00				453,465.00	118,465.00
Account No. 116872  SF Fire Credit Union 3201 California Street San Francisco, CA 94118-1903		С	Vehicle Loan 2008 Toyota Rav 4					
			Value \$ 17,475.00				15,154.00	0.00
continuation sheets attached			S (Total of th	ubto			566,765.74	216,611.74

Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 17 of 46

In re	Luis Alberto Padilla,		Case No.	
	Tatiana Padilla			
_		Debtors	,	

# SCHEDULE D - CREDITORS HOLDING SECURED CLAIMS (Continuation Sheet)

CREDITOR'S NAME AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	CODEBTOR	H W J C	sband, Wife, Joint, or Community  DATE CLAIM WAS INCURRED,  NATURE OF LIEN, AND  DESCRIPTION AND VALUE  OF PROPERTY  SUBJECT TO LIEN	CONTINGEN	UNLIQUIDAT	D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION, IF ANY
Account No. 844655932  Volkswagen Credit PO Box 60144 City of Industry, CA 91716-0144	x	С	Vehicle Loan  2007 Volkswagen Jetta 50% Interest Good Condition Daughter's Car	T	T E D			
	1	_	Value \$ 16,870.00	_			5,550.87	0.00
Account No.			Value \$					
Account No.	1	T		t				
			Value \$					
Account No.		T		T				
Account No.			Value \$					
	1							
			Value \$					
Sheet 1 of 1 continuation sheets atta	che	d to	,	Sub			5,550.87	0.00
Schedule of Creditors Holding Secured Claim			(Total of t	his	pag	ge)	3,330.07	0.00
			(Report on Summary of So		Γota dule		572,316.61	216,611.74

Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 18 of 46

In re

Luis Alberto Padilla, Tatiana Padilla

Debtors

### SCHEDULE E - CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. Use a separate continuation sheet for each type of priority and label each with the type of priority.

The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

Report the total of amounts entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Report the total of amounts <u>not</u> entitled to priority listed on each sheet in the box labeled "Subtotals" on each sheet. Report the total of all amounts not entitled to priority listed on this Schedule E in the box labeled "Totals" on the last sheet of the completed schedule. Individual debtors with primarily consumer debts report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.
TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets)
Domestic support obligations  Claims for domestic support that are owed to or recoverable by a spouse, former spouse, or child of the debtor, or the parent, legal guardian, or responsible relative of such a child, or a governmental unit to whom such a domestic support claim has been assigned to the extent provided in 11 U.S.C. § 507(a)(1).
☐ Extensions of credit in an involuntary case
Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(3).
☐ Wages, salaries, and commissions
Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$11,725* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).
☐ Contributions to employee benefit plans
Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(5).
☐ Certain farmers and fishermen
Claims of certain farmers and fishermen, up to \$5,775* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(6).
☐ Deposits by individuals
Claims of individuals up to \$2,600* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(7).
☐ Taxes and certain other debts owed to governmental units
Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C. § 507(a)(8).
☐ Commitments to maintain the capital of an insured depository institution  Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507 (a)(9).
☐ Claims for death or personal injury while debtor was intoxicated
Claims for dooth or personal injury reculting from the energical of a motor validation vascal while the debter was interiorated from using alcohol, a drug or

another substance. 11 U.S.C. § 507(a)(10).

<sup>\*</sup> Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

•	
In re	Luis Alk
	Tatiana

Luis	Alk	erto	Padilla,
Tatia	na	Padi	lla

Case No.	
-	

### SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. If a minor child is a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m). Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor," include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether the husband, wife, both of them, or the marital community may be liable on each claim by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent." If the claim is unliquidated, place an "X" in the column labeled "Unliquidated." If the

claim is disputed, place an "X" in the column labeled "Disputed." (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules and, if the debtor is an individual with primarily consumer debts, report this total also on the Statistical Summary of Certain Liabilities and Related Data.

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS	000		sband, Wife, Joint, or Community	200	-rzc	D _ C	
INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)		J A H	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	NT L NG EN	Q U I	SPUTED	AMOUNT OF CLAIM
Account No. <b>054954948</b>			2004-2009	T	ΙEΙ		
Capital Management Services, LP 726 Exchange Street, Suite 700 Buffalo, NY 14210		С	Collection Agency for Citibank (Acct. # 6035320314205012)		D		
					Ш		1,921.68
Account No. 5178-0523-4627-9868			2004-2009 Credit card purchases				
Capital One PO Box 30285 Salt Lake City, UT 84130-0285		С	orean cara parenases				
							5,198.82
Account No. 5178-0572-9792-9783			2004-2009	t	Н		
Capital One PO Box 30285 Salt Lake City, UT 84130-0285		С	Credit card purchases				
							2,112.26
Account No. 5418-2274-4501-5492			2004-2009	T	П		
Chase Bankruptcy Dept. PO Box 15298 Wilmington, DE 19850-5298		С	Credit card purchases				
							8,116.44
2 continuation sheets attached			(Total of t	Subt			17,349.20

Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 20 of 46 S/N:40054-100329 Best Case Bankruptcy

In re	Luis Alberto Padilla,	Case No.
	Tatiana Padilla	

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	H W J C		CONTINGEN	UNLIQUIDA	DISPUTED	AMOUNT OF CLAIM
Account No. 5416-5780-0011-4605  Chase-WaMu PO Box 78065 Phoenix, AZ 85062-8065		С	2004-2009 Credit card purchases	Т	T E D		7,000.00
Account No. 5418-2247-6105-8834  Chase-WaMu PO Box 78065 Phoenix, AZ 85062-8065		С	2004-2009 Credit card purchases Formerly WaMu Credit Card				6,000.00
Account No. 5424-1807-5320-3238  Citi PO Box 6000 The Lakes, NV 89163-6000		С	2004-2009 Credit card purchases				500.00
Account No. ref# 7416461 C18  Creditors Financial Group, LLC PO Box 440290 Aurora, CO 80044-0290		С	Collection agency for Chase Bank (acct# 5418227445015492) FOR NOTICE ONLY				0.00
Account No. 6035320314205012  Home Depot Credit Services PO Box 653000 Dallas, TX 75265-3000		С	2004-2009 Retail purchases				1,674.00
Sheet no. <u>1</u> of <u>2</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims		•	(Total of t	Subt			15,174.00

Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 21 of 46

In re	Luis Alberto Padilla,	Case No.
	Tatiana Padilla	

# SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS (Continuation Sheet)

CREDITOR'S NAME,	C	Hu	sband, Wife, Joint, or Community	CO	Ü	D	
MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR	C A H	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.	ONFINGEN	N L I Q U I D A T	S P U T E	AMOUNT OF CLAIM
Account No. <b>DEC-10-498095</b>	Т		For Notice Only	<b> </b>	Т		
Law Offices of Gary L. Fertig 875-A Island Drive, Suite 373 Alameda, CA 94502		С	Attourneys for SF Credit Union Acc # ***63		E D		0.00
Account No. 48-535-218-814-2	┡	┝	2004-2009	╀	⊬	┝	
Macy's - Bankruptcy Dept. PO Box 8053 Mason, OH 45040		С	Retail purchases				504.00
				$oldsymbol{\perp}$	L		521.00
Account No. 11145364  Money Control 7891 Mission Grove Parkway Suite A Riverside, CA 92508-6004		С	2009 Collection Agency for AT&T (Acct# 5106691634109)				
							150.00
Account No. *** <b>61</b>	┢		2004-2009	$\vdash$	$\vdash$	$\vdash$	
San Francisco Credit Union 770 Golden Gate Ave. San Francisco, CA 94102-3195		С	Line of Credit				7,993.00
Account No. Ending in 0979	┢		2004-2009	$\dagger$			
Target National Bank PO Box 59317 Minneapolis, MN 55459-0317		С	Retail Purchases Acct. ID # 00014375920				767.00
Sheet no. 2 of 2 sheets attached to Schedule of	<u> </u>	_		Subt	tota	ıl	0.404.00
Creditors Holding Unsecured Nonpriority Claims	(Total of this page) 9,431.00						
			(Report on Summary of So		Γota dule		41,954.20

•	
In	re

Luis Alberto Padilla, Tatiana Padilla

Debtors

## SCHEDULE G - EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser", "Agent", etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described. If a minor child is a party to one of the leases or contracts, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

■ Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code, of Other Parties to Lease or Contract

Description of Contract or Lease and Nature of Debtor's Interest. State whether lease is for nonresidential real property. State contract number of any government contract.

•	
ln	re

Luis Alberto Padilla, Tatiana Padilla

Debtors

## **SCHEDULE H - CODEBTORS**

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the eight year period immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state, commonwealth, or territory. Include all names used by the nondebtor spouse during the eight years immediately preceding the commencement of this case. If a minor child is a codebtor or a creditor, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR

NAME AND ADDRESS OF CREDITOR

Jackelyn Padilla 2700 Beach Head Way Richmond, CA 94804-7479 Volkswagen Credit PO Box 60144 City of Industry, CA 91716-0144 Luis Alberto Padilla In re Tatiana Padilla

Debtor(s)

# SCHEDULE I - CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by every married debtor, whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. Do not state the name of any minor child. The average monthly income calculated on this form may differ from the current monthly income calculated on Form 22A, 22B, or 22C.

D. L. J. M. C. J. G.	DEDENDENTS	S OF DEBTOR AND SP	OLICE		
Debtor's Marital Status:			OUSE		
Married	RELATIONSHIP(S): Granddaughter	AGE(S): <b>6</b>			
Employment:	DEBTOR	1	SPOUSE		
Occupation	Transit Operator	Transit Operat			
Name of Employer	City and County of San Francisco		ity of San Fran	cisco	
How long employed	25 years	8 years	<u></u>		
Address of Employer	Department of Public Transportation - Payroll 875 Stevenson St., Room 235 San Francisco, CA 94103-0902	Department of 875 Stevensor	f Public Transp n St., Room 23: o, CA 94103-09	5	on - Payroll
	ge or projected monthly income at time case filed)		DEBTOR		SPOUSE
1. Monthly gross wages, salary.	y, and commissions (Prorate if not paid monthly)	\$	6,799.88	\$	4,125.29
2. Estimate monthly overtime		\$	0.00	\$	0.00
3. SUBTOTAL		\$	6,799.88	\$	4,125.29
4. LESS PAYROLL DEDUCT					
<ul> <li>a. Payroll taxes and social</li> </ul>	l security	\$	1,698.20	\$	916.85
b. Insurance		\$	180.91	\$	417.64
c. Union dues		\$	54.71	\$	53.32
d. Other (Specify):		\$	0.00	\$	0.00
-		<u> </u>	0.00	\$	0.00
5. SUBTOTAL OF PAYROLL	. DEDUCTIONS	\$	1,933.82	\$	1,387.81
6. TOTAL NET MONTHLY T.	'AKE HOME PAY	\$	4,866.06	\$	2,737.48
7. Regular income from operati	ion of business or profession or farm (Attach detailed sta	atement) \$	0.00	\$	0.00
8. Income from real property	-	\$	0.00	\$	0.00
9. Interest and dividends		\$	0.00	\$	0.00
10. Alimony, maintenance or su dependents listed above	upport payments payable to the debtor for the debtor's us	se or that of \$	0.00	\$	0.00
11. Social security or governme (Specify):	ent assistance	\$	0.00	\$	0.00
		\$	0.00	\$	0.00
12. Pension or retirement incom	ne	\$	0.00	\$	0.00
13. Other monthly income (Specify):		\$	0.00	\$	0.00
		\$	0.00	\$	0.00
14. SUBTOTAL OF LINES 7 7	THROUGH 13	\$	0.00	\$	0.00
15. AVERAGE MONTHLY IN	NCOME (Add amounts shown on lines 6 and 14)	\$	4,866.06	\$	2,737.48
16. COMBINED AVERAGE N	MONTHLY INCOME: (Combine column totals from line	e 15)	\$	7,603.	.54

(Report also on Summary of Schedules and, if applicable, on Statistical Summary of Certain Liabilities and Related Data)

17. Describe any increase or decrease in income reasonably anticipated to occur within the year following the filing of this document:

Tatiana Padilla was receiving State Disability from December 8, 2009 to April 30, 2010. She resumed work

Tatiana Padilla was receiving State Disability from December 8, 2009 to April 30, 2010. She resumed work on May 1, 2010.

Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 25 of 46

In re

Luis Alberto Padilla Tatiana Padilla

	Case No.
Debtor(s)	

# SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average or projected monthly expenses of the debtor and the debtor's family at time case filed. Prorate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate. The average monthly expenses calculated on this form may differ from the deductions from income allowed on Form 22A or 22C.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of

expenditures labeled "Spouse."		
1. Rent or home mortgage payment (include lot rented for mobile home)	\$	2,563.46
a. Are real estate taxes included? Yes X No		
b. Is property insurance included? Yes No X		
2. Utilities: a. Electricity and heating fuel	\$	201.00
b. Water and sewer	\$	140.00
c. Telephone	\$	100.00
d. Other See Detailed Expense Attachment	\$	550.90
3. Home maintenance (repairs and upkeep)	\$	37.00
4. Food	\$	750.00
5. Clothing	\$	150.00
6. Laundry and dry cleaning	\$	200.00
7. Medical and dental expenses	\$	300.00
8. Transportation (not including car payments)	\$	500.00
9. Recreation, clubs and entertainment, newspapers, magazines, etc.	\$	40.00
10. Charitable contributions	\$	20.00
11. Insurance (not deducted from wages or included in home mortgage payments)		
a. Homeowner's or renter's	\$	90.00
b. Life	\$	0.00
c. Health	\$	0.00
d. Auto	\$	160.00
e. Other	\$	0.00
12. Taxes (not deducted from wages or included in home mortgage payments)	· <del></del>	
(Specify)	\$	0.00
13. Installment payments: (In chapter 11, 12, and 13 cases, do not list payments to be included in the	<u> </u>	
plan)		
a. Auto	\$	271.60
b. Other Tuition	\$ <del></del>	400.00
c. Other Second Mortgage	\$	673.71
14. Alimony, maintenance, and support paid to others	\$	0.00
15. Payments for support of additional dependents not living at your home	\$ <del></del>	0.00
16. Regular expenses from operation of business, profession, or farm (attach detailed statement)	\$	0.00
17. Other See Detailed Expense Attachment	\$	1,094.72
17. Other	Ψ	.,
18. AVERAGE MONTHLY EXPENSES (Total lines 1-17. Report also on Summary of Schedules and	1, \$	8,242.39
if applicable, on the Statistical Summary of Certain Liabilities and Related Data.)	-	
19. Describe any increase or decrease in expenditures reasonably anticipated to occur within the year		
following the filing of this document:		
20. STATEMENT OF MONTHLY NET INCOME	_	
	¢	7 602 54
a. Average monthly income from Line 15 of Schedule I	\$	7,603.54
b. Average monthly expenses from Line 18 above	\$	8,242.39
c. Monthly net income (a. minus b.)	\$	-638.85

Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 26 of 46

Case No.

Debtor(s)

# SCHEDULE J - CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

# **Detailed Expense Attachment**

Homeowners Association	\$	384.90
Cable TV	<u> </u>	136.00
Internet	\$	30.00
Total Other Utility Expenditures	\$	550.90

# **Other Expenditures:**

VW Credit Payment	\$	169.72
Child Care	<u> </u>	775.00
Personal Care	\$	150.00
Total Other Expenditures	\$	1,094.72

Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 27 of 46

# **United States Bankruptcy Court Northern District of California**

In re	Luis Alberto Padilla re Tatiana Padilla		Case No.	
		Debtor(s)	Chapter	7

## DECLARATION CONCERNING DEBTOR'S SCHEDULES

#### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of	18	
sheets, and that they are true and correct to the best of my knowledge, information, and belief.		

Date	June 3, 2010	Signature	/s/ Luis Alberto Padilla
		-	Luis Alberto Padilla
			Debtor
Date	June 3, 2010	Signature	/s/ Tatiana Padilla
		C	Tatiana Padilla
			Joint Debtor

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both. 18 U.S.C. §§ 152 and 3571.

Software Copyright (c) 1996-2010 Best Case Solutions - Evanston, IL - bestcase.com 

# **United States Bankruptcy Court** Northern District of California

In re	re Tatiana Padilla			
		Debtor(s)	Chapter	7

#### STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. § 112; Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Ouestions 19 - 25. If the answer to an applicable question is "None," mark the box labeled "None." If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

#### **DEFINITIONS**

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

#### 1. Income from employment or operation of business

None 

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the two years immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
\$30,599.48	2010 YTD: Husband Gross Earnings
\$73,338.02	2009: Husband Gross Earnings
\$65,384.18	2008: Husband Gross Earnings
\$1,989.90	2010 YTD: Wife Gross Earnings
\$50,558.33	2009: Wife Gross Earnings
\$59,726.09	2008: Wife Gross Earnings

Software Copyright (c) 1996-2010 Best Case Solutions - Evanston, IL - www.bestcase.com Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 29 of 46

#### 2. Income other than from employment or operation of business

None

State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT SOURCE

\$12,600.00 2010 YTD: Wife State Disability Benifits \$2,100.00 2009: Wife State Disability Benifits

#### 3. Payments to creditors

None

#### Complete a. or b., as appropriate, and c.

a. *Individual or joint debtor(s) with primarily consumer debts*. List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING	
GMAC Mortgage	March, April, May 2010	\$2,563.46	\$453,465.00	
3451 Hammond Ave PO Box 780 Waterloo, IA 50704-0780				
San Francisco Federal Credit Union 770 Golden Gate Ave.	March, April, May 2010	\$271.60	\$15,154.00	

San Francisco, CA 94102-3195

None

None

b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$5,850\*. If the debtor is an individual, indicate with an asterisk (\*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT
DATES OF PAID OR
PAYMENTS/ VALUE OF AMOUNT STILL
NAME AND ADDRESS OF CREDITOR TRANSFERS TRANSFERS OWING

c. *All debtors:* List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR

Software Copyright (c) 1996-2010 Best Case Solutions, Inc. - Evanston, IL - www.bestcase.com

DATE OF PAYMENT

AMOUNT PAID

AMOUNT STILL OWING

Best Case Bankruptcv

<sup>\*</sup> Amount subject to adjustment on 4/01/13, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

#### 4. Suits and administrative proceedings, executions, garnishments and attachments

None П

a. List all suits and administrative proceedings to which the debtor is or was a party within one year immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER

NATURE OF PROCEEDING **Complaint for Money** 

COURT OR AGENCY AND LOCATION San Francisco Superior Court Complaint Filed 3/25/10

STATUS OR DISPOSITION

San Francisco Federal Credit Union v Luis A. Padilla

Case # DEC-10-498095

None

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED

DATE OF SEIZURE

DESCRIPTION AND VALUE OF **PROPERTY** 

#### 5. Repossessions, foreclosures and returns

None

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER

DATE OF REPOSSESSION. FORECLOSURE SALE. TRANSFER OR RETURN

DESCRIPTION AND VALUE OF **PROPERTY** 

#### 6. Assignments and receiverships

None

a. Describe any assignment of property for the benefit of creditors made within 120 days immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF ASSIGNEE

DATE OF ASSIGNMENT

TERMS OF ASSIGNMENT OR SETTLEMENT

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS

OF CUSTODIAN

NAME AND LOCATION OF COURT

CASE TITLE & NUMBER

DATE OF ORDER

DESCRIPTION AND VALUE OF **PROPERTY** 

7. Gifts

None

List all gifts or charitable contributions made within one year immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION RELATIONSHIP TO DEBTOR, IF ANY

DATE OF GIFT

DESCRIPTION AND VALUE OF GIFT

Software Copyright (c) 1996-2010 Best Case Solutions, Inc. - Evanston, IL - www.bestcase.com Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 31 of 46

#### 8. Losses

None

List all losses from fire, theft, other casualty or gambling within one year immediately preceding the commencement of this case or since the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY

DESCRIPTION OF CIRCUMSTANCES AND. IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS

DATE OF LOSS

#### 9. Payments related to debt counseling or bankruptcy

None 

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within one year immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE

**Comfort Law Office** P.O. Box 5611 San Mateo, CA 94402

DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR 3/12/10

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY \$2500 Attorney Fee \$299 Filing Fee \$60 Counseling/Education

#### 10. Other transfers

None

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within two years immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE. RELATIONSHIP TO DEBTOR

DATE

DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED

None b. List all property transferred by the debtor within ten years immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

NAME OF TRUST OR OTHER

DEVICE

DATE(S) OF TRANSFER(S) AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY OR DEBTOR'S INTEREST

IN PROPERTY

#### 11. Closed financial accounts

None 

List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within one year immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION **Chase Bank** San Pablo/Richmond, CA

TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE **Checking Account** 

AMOUNT AND DATE OF SALE OR CLOSING Closing Balance of \$100 in

September 2009

Best Case Bankruptcy 

#### 12. Safe deposit boxes

None

List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within one year immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY

NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY

DESCRIPTION OF CONTENTS DATE OF TRANSFER OR SURRENDER, IF ANY

#### 13. Setoffs

None

List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within 90 days preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR

DATE OF SETOFF

AMOUNT OF SETOFF

#### 14. Property held for another person

None

List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER

DESCRIPTION AND VALUE OF PROPERTY

LOCATION OF PROPERTY

#### 15. Prior address of debtor

None

If the debtor has moved within three years immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

**ADDRESS** NAME USED DATES OF OCCUPANCY

#### 16. Spouses and Former Spouses

None

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight years immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

### 17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

None

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

SITE NAME AND ADDRESS

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DATE OF

**ENVIRONMENTAL** 

NOTICE LAW

Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 33 of 46

None b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous

Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

SITE NAME AND ADDRESS

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DATE OF NOTICE

**ENVIRONMENTAL** 

I.AW

None

c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT

DOCKET NUMBER

STATUS OR DISPOSITION

#### 18 . Nature, location and name of business

None

a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within six years immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within six years immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within six years immediately preceding the commencement of this case.

> LAST FOUR DIGITS OF SOCIAL-SECURITY OR OTHER INDIVIDUAL TAXPAYER-I.D. NO. (ITIN)/ COMPLETE EIN ADDRESS

NATURE OF BUSINESS

**BEGINNING AND ENDING DATES** 

NAME None

b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME **ADDRESS** 

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within six years immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor, or self-employed in a trade, profession, or other activity, either full- or part-time.

(An individual or joint debtor should complete this portion of the statement only if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

#### 19. Books, records and financial statements

a. List all bookkeepers and accountants who within two years immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS

DATES SERVICES RENDERED

None b. List all firms or individuals who within the two years immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

DATES SERVICES RENDERED NAME **ADDRESS** 

Software Copyright (c) 1996-2010 Best Case Solutions, Inc. - Evanston, IL - www.bestcase.com Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 34 of 46 None

c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

**ADDRESS** NAME

None d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was

issued by the debtor within two years immediately preceding the commencement of this case.

NAME AND ADDRESS

20. Inventories

None

a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

DATE OF INVENTORY

INVENTORY SUPERVISOR

DOLLAR AMOUNT OF INVENTORY

(Specify cost, market or other basis)

b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY **RECORDS** 

DATE OF INVENTORY

21. Current Partners, Officers, Directors and Shareholders

None

a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS

NATURE OF INTEREST

PERCENTAGE OF INTEREST

b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, None

controls, or holds 5 percent or more of the voting or equity securities of the corporation.

NAME AND ADDRESS

TITLE

NATURE AND PERCENTAGE OF STOCK OWNERSHIP

#### 22. Former partners, officers, directors and shareholders

None

a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

NAME **ADDRESS** DATE OF WITHDRAWAL

None b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within one year immediately preceding the commencement of this case.

NAME AND ADDRESS TITLE DATE OF TERMINATION

#### 23 . Withdrawals from a partnership or distributions by a corporation

None If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation

in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during one year immediately preceding the commencement of this case.

NAME & ADDRESS OF RECIPIENT. RELATIONSHIP TO DEBTOR

DATE AND PURPOSE OF WITHDRAWAL

AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY

Best Case Bankruptcy Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 35 of 46

#### 24. Tax Consolidation Group.

None

If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within six years immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION

TAXPAYER IDENTIFICATION NUMBER (EIN)

#### 25. Pension Funds.

None

If the debtor is not an individual, list the name and federal taxpayer-identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within six years immediately preceding the commencement of the case.

NAME OF PENSION FUND

TAXPAYER IDENTIFICATION NUMBER (EIN)

#### DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date	June 3, 2010	Signature	/s/ Luis Alberto Padilla
			Luis Alberto Padilla
			Debtor
Date	June 3, 2010	Signature	/s/ Tatiana Padilla
		_	Tatiana Padilla
			Ioint Debtor

Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571

Software Copyright (c) 1996-2010 Best Case Solutions, Inc. - Evanston, IL - www.bestcase.com Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 36 of 46

# **United States Bankruptcy Court Northern District of California**

In re	Luis Alberto Padilla Tatiana Padilla		Case No.	Case No.
		Debtor(s)	Chapter	7

### CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

**PART A -** Debts secured by property of the estate. (Part A must be fully completed for **EACH** debt which is secured by property of the estate. Attach additional pages if necessary.)

property of the estate. Attach additional pages if nec	cessary.)
Property No. 1	
Creditor's Name: A.S.A.P. Collection Services	Describe Property Securing Debt: Primary Residence Location: 3969 Selmi Grove, Richmond CA 94806-1867
Property will be (check one):	
☐ Surrendered ■ Retained	
If retaining the property, I intend to (check at least one):  ☐ Redeem the property ☐ Reaffirm the debt ☐ Other. Explain	ntractual payments (for example, avoid lien using 11 U.S.C. §
Property is (check one):	
☐ Claimed as Exempt	■ Not claimed as exempt
Property No. 2	
Creditor's Name: Citimortgage Inc.	Describe Property Securing Debt: Primary Residence Location: 3969 Selmi Grove, Richmond CA 94806-1867
Property will be (check one):	I
☐ Surrendered ■ Retained	
If retaining the property, I intend to (check at least one):  ☐ Redeem the property ☐ Reaffirm the debt ☐ Other. Explain	ntractual payments (for example, avoid lien using 11 U.S.C. §
Property is (check one):	
☐ Claimed as Exempt	■ Not claimed as exempt

Software Copyright (c) 1996-2010 Best Case Solutions - Evanston, IL - bestcase.com

Best Case Bankruptcy

B8 (Form 8) (12/08) Page 2 Property No. 3 Creditor's Name: **Describe Property Securing Debt: GMAC Mortgage, LLC Primary Residence** Location: 3969 Selmi Grove, Richmond CA 94806-1867 Property will be (check one): Retained ☐ Surrendered If retaining the property, I intend to (check at least one): ☐ Redeem the property ☐ Reaffirm the debt ■ Other. Explain Debtor to continue regular monthly contractual payments (for example, avoid lien using 11 U.S.C. § 522(f)). Property is (check one): ☐ Claimed as Exempt ■ Not claimed as exempt Property No. 4 Creditor's Name: **Describe Property Securing Debt: SF Fire Credit Union** 2008 Toyota Rav 4 Property will be (check one): ☐ Surrendered ■ Retained If retaining the property, I intend to (check at least one): ☐ Redeem the property ☐ Reaffirm the debt ■ Other. Explain Debtor will continue regular monthly payments (for example, avoid lien using 11 U.S.C. § 522(f)).

☐ Not claimed as exempt

Property is (check one):

Claimed as Exempt

B8 (Form 8) (12/08) Page 3 Property No. 5 Creditor's Name: **Describe Property Securing Debt:** Volkswagen Credit 2007 Volkswagen Jetta 50% Interest **Good Condition** Daughter's Car Property will be (check one): ☐ Surrendered ■ Retained If retaining the property, I intend to (check at least one): ☐ Redeem the property ☐ Reaffirm the debt ■ Other. Explain Debtors' daughter makes current payments (for example, avoid lien using 11 U.S.C. § 522(f)). Property is (check one): Claimed as Exempt ☐ Not claimed as exempt PART B - Personal property subject to unexpired leases. (All three columns of Part B must be completed for each unexpired lease. Attach additional pages if necessary.) Property No. 1 Lessor's Name: **Describe Leased Property:** Lease will be Assumed pursuant to 11 -NONE-U.S.C. § 365(p)(2):  $\square$  YES □ NO I declare under penalty of perjury that the above indicates my intention as to any property of my estate securing a debt and/or personal property subject to an unexpired lease. /s/ Luis Alberto Padilla Date June 3, 2010 Signature Luis Alberto Padilla Debtor /s/ Tatiana Padilla Date June 3, 2010 Signature Tatiana Padilla Joint Debtor

Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 39 of 46

WARNING: Effective December 1, 2009, the 15-day deadline to file schedules and certain other documents under Bankruptcy Rule 1007(c) is shortened to 14 days. For further information, see note at bottom of page 2

# UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF CALIFORNIA

# NOTICE TO CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a **joint case** (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

# 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days before the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

## Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total Fee \$299)

Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, the United States trustee (or bankruptcy administrator), the trustee, or creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.

The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.

Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

<u>Chapter 13</u>: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

Software Copyright (c) 1996-2010 Best Case Solutions - Evanston, IL - bestcase.com

Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 40 of 46

Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are only eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.

Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.

After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

### Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

### Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

# 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to a fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

**WARNING:** Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors. assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court. The documents and the deadlines for filing them are listed on Form B200, which is posted at http://www.uscourts.gov/bkforms/bankruptcy\_forms.html#procedure.

Many filing deadlines change on December 1, 2009. Of special note, 12 rules that set 15 days to act are amended to require action within 14 days, including Rule 1007(c), filing the initial case papers; Rule 3015(b), filing a chapter 13 plan; Rule 8009(a), filing appellate briefs; and Rules 1019, 1020, 2015, 2015.1, 2016, 4001, 4002, 6004, and 6007.

Software Copyright (c) 1996-2010 Best Case Solutions - Evanston, IL - bestcase.com Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 41 of 46 B 201B (Form 201B) (12/09)

# **United States Bankruptcy Court** Northern District of California

In re	Luis Alberto Padilla Tatiana Padilla		Case No.		
		Debtor(s)	Chapter	7	
	CERTIFICATION OF	NOTICE TO CONSUL		R(S)	

# UNDER § 342(b) OF THE BANKRUPTCY CODE

#### **Certification of Debtor**

I (We), the debtor(s), affirm that I (we) have received and read the attached notice, as required by § 342(b) of the Bankruptcy Code.

Luis Alberto Padilla Tatiana Padilla	X /s/ Luis Alberto Padilla	June 3, 2010
Printed Name(s) of Debtor(s)	Signature of Debtor	Date
Case No. (if known)	${ m X}^{\prime}$ /s/ Tatiana Padilla	June 3, 2010
	Signature of Joint Debtor (if ar	ny) Date

Instructions: Attach a copy of Form B 201 A, Notice to Consumer Debtor(s) Under § 342(b) of the Bankruptcy Code.

Use this form to certify that the debtor has received the notice required by 11 U.S.C. § 342(b) only if the certification has NOT been made on the Voluntary Petition, Official Form B1. Exhibit B on page 2 of Form B1 contains a certification by the debtor's attorney that the attorney has given the notice to the debtor. The Declarations made by debtors and bankruptcy petition preparers on page 3 of Form B1 also include this certification.

Software Copyright (c) 1996-2010 Best Case Solutions - Evanston, IL - bestcase.com Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 42 of 46

# **United States Bankruptcy Court** Northern District of California

n re	Tatiana Padilla		Case No.	
		Debtor(s)	Chapter	7
		CREDITOR MATRIX COVER SI	HEET	
		Creditor Mailing Matrix, consisting of <u>3</u> sheets secured and unsecured creditors listed in debtor's		
Date:	June 3, 2010	/s/ Michael Comfort		
		Signature of Attorney		
		Michael Comfort		
		Comfort Law Office P.O. Box 5611		
		San Mateo, CA 94402		

Luis Alberto Padilla

Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 43 of 46

A.S.A.P. Collection Services 331 Piercy Road San Jose, CA 95138

Capital Management Services, LP 726 Exchange Street, Suite 700 Buffalo, NY 14210

Capital One PO Box 30285 Salt Lake City, UT 84130-0285

Chase Bankruptcy Dept. PO Box 15298 Wilmington, DE 19850-5298

Chase-WaMu PO Box 78065 Phoenix, AZ 85062-8065

Citi PO Box 6000 The Lakes, NV 89163-6000

Citimortgage Inc. PO Box 6006 The Lakes, NV 88901-6006

Creditors Financial Group, LLC PO Box 440290 Aurora, CO 80044-0290

Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 44 of 46

GMAC Mortgage, LLC 3451 Hammond Avenue Waterloo, IA 50702

Home Depot Credit Services PO Box 653000 Dallas, TX 75265-3000

Jackelyn Padilla 2700 Beach Head Way Richmond, CA 94804-7479

Law Offices of Gary L. Fertig 875-A Island Drive, Suite 373 Alameda, CA 94502

Macy's - Bankruptcy Dept. PO Box 8053 Mason, OH 45040

Money Control 7891 Mission Grove Parkway Suite A Riverside, CA 92508-6004

San Francisco Credit Union 770 Golden Gate Ave. San Francisco, CA 94102-3195

SF Fire Credit Union 3201 California Street San Francisco, CA 94118-1903

Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 45 of 46

Target National Bank PO Box 59317 Minneapolis, MN 55459-0317

Volkswagen Credit PO Box 60144 City of Industry, CA 91716-0144

Case: 10-46468 Doc# 1 Filed: 06/04/10 Entered: 06/04/10 17:18:47 Page 46 of 46